

Amendment No. \_\_\_\_\_

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Signature of Sponsor

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 2866**

**House Bill No. 2524\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act is known and may be cited as the "Second Amendment Simplification Act of 2022."

SECTION 2. Tennessee Code Annotated, Section 39-17-1307, is amended by deleting the section and substituting instead:

(a)

(1) A person commits an offense who possesses a firearm and:

(A) Has been convicted of a felony crime of violence, an attempt to commit a felony crime of violence, or a felony involving the use of a deadly weapon;

(B) Has been convicted of a felony drug offense;

(C) Has been convicted of any other felony;

(D) Has been convicted of a misdemeanor crime of domestic violence as defined in 18 U.S.C. § 921, and is still subject to the disabilities of such a conviction;

(E) Is, at the time of the possession, subject to an order of protection that fully complies with 18 U.S.C. § 922(g)(8);

(F) Is under eighteen (18) years of age; provided, that it is a defense to prosecution under this subdivision (a)(1)(F) that the person possesses the firearm under any of the circumstances described in § 39-17-1319(d)(1);



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(G) Is prohibited from possessing a firearm under 18 U.S.C. 922(g) or any other state or federal law;

(H) Has been convicted of stalking as prohibited by § 39-17-315;

(I) Has been convicted of the offense of driving under the influence of an intoxicant in this or any other state two (2) or more times within the prior ten (10) years or one (1) time within the prior five (5) years; or

(J) Has been adjudicated as a mental defective, judicially committed to or hospitalized in a mental institution pursuant to title 33, or had a court appoint a conservator for the person by reason of a mental defect.

(2) An offense under subdivision (a)(1)(A) is a Class B felony.

(3) An offense under subdivision (a)(1)(B) is a Class C felony.

(4) An offense under subdivision (a)(1)(C) is a Class E felony.

(5) An offense under subdivision (a)(1)(D), (a)(1)(E), (a)(1)(F), or (a)(1)(G) is a Class A misdemeanor.

(6) An offense under subdivision (a)(1)(H), (a)(1)(I), or (a)(1)(J) is a Class B misdemeanor.

(b) It is an exception to subdivisions (a)(1)(A)–(D) that:

(1) The person has been pardoned for the offense;

(2) The conviction has been expunged or otherwise set aside;

(3) The person's civil rights have been restored pursuant to title 40, chapter 29; or

(4) The person has been granted relief of disabilities relative to firearms under 18 U.S.C. § 925;

(5) The person has been granted relief of disabilities relative to firearms under the applicable law of another state relative to a conviction arising in that state; or

(6) The person has been granted a relief of disabilities relative to firearms under federal law relative to a conviction arising under federal law.

(c)

(1) A person commits an offense who possesses a deadly weapon other than a firearm with the intent to employ it during the commission of, attempt to commit, or escape from a dangerous offense as defined in § 39-17-1324.

(2) A person commits an offense who possesses any deadly weapon with the intent to employ it during the commission of, attempt to commit, or escape from any offense not defined as a dangerous offense by § 39-17-1324.

(3)

(A) Except as provided in subdivision (c)(3)(B), a violation of this subsection (c) is a Class E felony.

(B) A violation of this subsection (c) is a Class E felony with a maximum fine of six thousand dollars (\$6,000), if the deadly weapon is a switchblade knife.

(d) If a person is licensed as a federal firearms dealer, is identified as a responsible party under a federal firearms license, or is employed by a federal firearms dealer, the determination of whether such an individual possesses firearms that constitute the business assets or inventory under the federal license shall be determined based upon the applicable federal statutes or the rules, regulations, official letters, rulings, and publications of the bureau of alcohol, tobacco, firearms and explosives.

(e) A person does not possess a firearm, including, but not limited to, a firearm registered under the National Firearms Act (26 U.S.C. § 5801 et seq.), if the firearm is in

a safe or similar container that is securely locked and to which the person does not have the combination, keys, or other means of normal access.

SECTION 3. Tennessee Code Annotated, Section 39-17-1308, is amended by deleting the section in its entirety.

SECTION 4. Tennessee Code Annotated, Section 39-17-1311, is amended by deleting the section in its entirety.

SECTION 5. Tennessee Code Annotated, Section 39-17-1313(a), is amended by deleting the language "or who lawfully carries a handgun pursuant to § 39-17-1307(g)" and substituting instead the language "or a person who is not prohibited from carrying a firearm under § 39-17-1307".

SECTION 6. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 7. This act takes effect July 1, 2022, the public welfare requiring it.

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**AMEND Senate Bill No. 2522\***

**House Bill No. 2762**

by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION \_\_. Tennessee Code Annotated, Section 8-14-107(b)(1), is amended by deleting the subdivision and substituting instead the following:

(1) A full-time assistant district public defender shall be compensated according to the following pay schedule:

Entry level	\$53,388
After one (1) year	\$56,748
After two (2) years	\$60,084
After three (3) years	\$63,480
After four (4) years	\$66,840
After five (5) years	\$70,164
After six (6) years	\$73,524
After seven (7) years	\$76,908
After eight (8) years	\$80,292
After nine (9) years	\$83,616
After ten (10) years	\$86,988
After eleven (11) years	\$90,348
After twelve (12) years	\$93,648
After thirteen (13) years	\$97,008
After fourteen (14) years	\$100,356



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After fifteen (15) years	\$103,692
After sixteen (16) years	\$107,064
After seventeen (17) years	\$110,100
After eighteen (18) years	\$113,064
After nineteen (19) years	\$115,896
After twenty (20) years	\$118,584
After twenty-one (21) years	\$122,496
After twenty-two (22) years	\$126,528
After twenty-three (23) years	\$130,680
After twenty-four (24) years	\$135,312
After twenty-five (25) years	\$139,908

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**AMEND Senate Bill No. 2638**

**House Bill No. 2323\***

by deleting all language after the enacting clause and substituting instead the following:

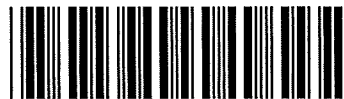
SECTION 1. Tennessee Code Annotated, Section 39-11-621, is amended by deleting the words "or threaten to use" and adding the following language at the end of the section:

A threat to use deadly force is not considered use of deadly force for purposes of this section; provided, that a private citizen, in making an arrest authorized by law, shall not threaten to use deadly force unless the arrest is for an offense committed or threatened against the private citizen making the arrest or a violent offense committed or threatened against a third person in the presence of the private citizen making the arrest.

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it.



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**AMEND Senate Bill No. 2547**

**House Bill No. 2780\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 38-6-109, is amended by adding the following as a new subsection:

( )

(1) Notwithstanding another law to the contrary, clerks of court, county clerks, registers of deeds, and county trustees may enter into agreements with a fingerprint vendor that is under contract with the Tennessee bureau of investigation for purposes of providing fingerprint capture services for fingerprint-based background checks permitted by law. An agreement between clerks of court, county clerks, registers of deeds, or county trustees and a fingerprint vendor that is under contract with the Tennessee bureau of investigation must be limited to fingerprint capture services for fingerprint-based background checks permitted by law and processed by the Tennessee bureau of investigation. The terms of an agreement between the fingerprint vendor and clerks of court, county clerks, registers of deeds, or county trustees must not conflict with or negate a contractual obligation that the fingerprint vendor has with the Tennessee bureau of investigation.

(2) The fingerprint vendor shall provide all fingerprint images captured by the fingerprint vendor pursuant to subdivision ( ) (1) to the Tennessee bureau of investigation. The bureau shall maintain, preserve, and enter the information into an automated fingerprint identification system (AFIS), if appropriate.



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SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

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**AMEND Senate Bill No. 2415**

**House Bill No. 2165\***

by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 40-25-129, is amended by adding the following as a new subsection (c):

(1) Notwithstanding subsections (a) and (b), the department of correction, through the judicial cost accountant, may advance or reimburse witness expenses necessary to the prosecution of a criminal case as requested by the district attorney general and approved by the court. In such cases, a determination of indigency is not immediately required; however, the county shall seek to recover the costs of the advance or reimbursement of witness expenses from a convicted defendant as provided in subdivision (a)(2) or another appropriate provision.

(2) If advance witness fees are requested, then the itemized request must be submitted to the judicial cost accountant at least ten (10) business days prior to trial and otherwise conform to the requirements as set forth by the judicial cost accountant.

(3) If reimbursement of witness fees is requested, then the request must meet the following requirements:

(A) The witness was material and necessary to the case and the witness lives more than five (5) miles away from the place the witness was subpoenaed to attend or otherwise meets the requirements in subdivision (a)(2) and §§ 24-4-102 and 40-17-112;

(B) An itemized list of expenses must be provided consistent with state travel regulations; and



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(C) The request for fees must be certified by the district attorney general and approved by the court.

(4) When payment occurs in accordance with subdivision (c)(2) or (c)(3), the department of correction shall maintain the payment as a receivable against the final cost bill attributed to the case in which witness fees were advanced or reimbursed. Dollars advanced or reimbursed under this section must be deducted from the final cost bill submitted in the case.

(5) This section does not absolve a convicted defendant of liability of cost.

(6) This section does not absolve the county of the responsibility to seek execution upon judgment against the defendant in accordance with subdivision (a)(2).

(7) This section does not prohibit the department of correction from collecting from an inmate trust fund in accordance with § 40-25-143.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it, and applies to all cases that have not reached final disposition upon that date.

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**AMEND Senate Bill No. 2243\***

**House Bill No. 2860**

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 14, Part 2, is amended by adding the following as a new section:

(a) It is an offense for a person to knowingly restrain a dog with a chain, cord, tether, cable, or similar device while a natural or manmade disaster is imminent or occurring, and the dog is unattended and not under direct supervision, including a period of time when:

(1) A severe flooding or tornado warning issued by the national weather service is in effect for the geographic area where the dog is located; or

(2) A mandatory or voluntary evacuation order is in effect for the geographic area where the dog is located.

(b) Nothing in this section prohibits prosecution under § 39-14-202(b), if the person's conduct results in the dog suffering bodily injury as defined in § 39-11-106.

(c)

(1) A person shall not be prosecuted for a violation of subsection (a) unless the person has previously received a warning citation for violating subsection (a).

(2) A violation of subsection (a) is a Class C misdemeanor.

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it.



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**AMEND Senate Bill No. 1165**

**House Bill No. 1214\***

by deleting all language after the enacting clause and substituting instead:

SECTION 1. Tennessee Code Annotated, Section 40-39-202, is amended by deleting subdivision (31)(N) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 40-39-207, is amended by adding the following as a new subsection:

(k)

(1) An offender who is required to register pursuant to this part because the offender was convicted of the offense of criminal exposure of another to human immunodeficiency virus (HIV) under § 39-13-109(a)(1) and the offense was committed prior to July 1, 2022, may file a request for termination of registration requirements with TBI headquarters in Nashville, if the offender would not be required to register if the offense was committed on or after July 1, 2022.

(2) Upon receipt of the request for termination, the TBI shall review documentation provided by the offender and contained in the offender's file and the SOR to determine whether the offender would not be required to register if the offender committed the same offense on or after July 1, 2022. In addition, the TBI shall conduct fingerprint-based state and federal criminal history checks to determine whether the offender has been convicted of any additional sexual offenses or violent sexual offenses.



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(3) If the TBI determines that the offender would not be required to register if the offense was committed on or after July 1, 2022, that the offender has not been convicted of any additional sexual offenses or violent sexual offenses, and that the offender has substantially complied with this part and any previous versions of this part, then the TBI shall remove the offender's name from the SOR and notify the offender that the offender is no longer required to comply with this part.

(4) If the TBI determines that the offender would be required to register even if the offense had been committed on or after July 1, 2022, or that the offender has been convicted of any additional sexual offenses or violent sexual offenses during the period of registration, then the TBI shall not remove the offender's name from the SOR and shall notify the offender that the offender continues to be required to comply with this part.

(5) An offender whose request for termination of registration requirements is denied by a TBI official may petition the chancery court of Davidson County or the chancery court of the county where the offender resides, if the offender resides in this state, for review of the decision. The review shall be on the record used by the TBI official to deny the request. The TBI official who denied the request for termination of registration requirements may submit an affidavit to the court detailing the reasons the request was denied.

SECTION 3. This act takes effect July 1, 2022, the public welfare requiring it.